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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10                  JOSEPH LOCHUCH EWALAN,

CASE NO. C20-5678JLR-TLF

11                  Plaintiff,

ORDER

12                  v.

13                  WASHINGTON STATE  
14                  DEPARTMENT OF  
15                  CORRECTIONS, et al.,

Defendants.

16                  On February 7, 2023, this court *sua sponte* reconsidered Plaintiff Joseph Lochuch  
17 Ewalan's third motion to appoint pro bono counsel. (2/7/23 Order (Dkt. # 124.) The  
18 court concluded that appointment of counsel would serve the interests of justice and  
19 conditionally granted Mr. Ewalan's motion. (*Id.*) Pursuant to this District's Pro Bono  
20 Plan, *see* General Order No. 16-20, Section 4(b) (Dec. 8, 2020), the court directed the  
21 Clerk of Court to identify an attorney from the Pro Bono Panel to represent Mr. Ewalan  
22

1 for the duration of the action (2/7/23 Order at 6). The Clerk has now identified pro bono  
2 counsel willing to represent Mr. Ewalan. Accordingly, the court ORDERS as follows:

3 1. The court APPOINTS Brennen Johnson of Johnson Graffe Keay Moniz & Wick

4 as counsel for Mr. Ewalan. Mr. Johnson's contact information is as follows:

5 Graffe Keay Moniz & Wick  
6 2115 N. 30th Street, Suite 101, Tacoma, WA 98403  
Phone: (253) 572-5323  
Email: brennenj@jgkmw.com

7 2. The court DIRECTS Mr. Johnson to file a Notice of Appearance no later than  
8 March 1, 2023. If counsel is unable to assume this representation for a reason set  
9 forth in the Pro Bono Plan, counsel must file a motion for relief from appointment  
10 immediately. In the event Mr. Ewalan prevails in this action, appointed counsel  
11 may move for an award of attorney's fees under any applicable authority. The  
12 court is unable to assure counsel of compensation from any other source, however.

13 3. The court ORDERS the parties to meet and confer and file a Joint Status Report  
14 no later than May 1, 2023 identifying a proposed trial date and anticipated length  
15 of trial and summarizing the parties' issues or concerns as they move toward trial.

16 4. The court DIRECTS the Clerk to send copies of this order to Mr. Ewalan, Mr.  
17 Johnson, and counsel for Defendants.

18 Dated this 16th day of February, 2023.

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21 JAMES L. ROBART  
22 United States District Judge